

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

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| CHRISTOPHER D. TAYLOR, |) | |
| |) | Case No. 2:20-cv-155 |
| <i>Petitioner,</i> |) | |
| |) | Judge Travis R. McDonough |
| v. |) | |
| |) | Magistrate Judge Cynthia R. Wyrick |
| JARED EFFLER, MARNEY E. GILLIAM, |) | |
| TODD BURNETTE, PHILLIP KAZEE, |) | |
| and JERRY MIFFLIN, |) | |
| |) | |
| <i>Respondents.</i> ¹ |) | |

MEMORANDUM OPINION

Christopher D. Taylor is a detainee confined in the Fentress County Jail who has filed a complaint under 42 U.S.C. § 1983 challenging the burglary and theft charges pending against him in Fentress County, Tennessee. (Doc. 2.) Because Petitioner ultimately seeks to be “relieved of all charges” against him, the Court construes the filing as a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241.² *See Preiser v. Rodriguez*, 411 U.S. 475, 490 (1973) (“Congress has determined that habeas corpus is the appropriate remedy for state

¹ The Court notes that the proper Respondent in this action is Petitioner’s current custodian, rather than the parties named. *See* Rule 2(a) of the Rules Governing Section 2254 Cases in the United States District Courts (“§ 2254 Rules”) (“If the petitioner is currently in custody under a state-court judgment, the petition must name as respondent the state officer who has custody.”); *see also* Rule 1(b) of the § 2254 Rules (providing for application of § 2254 Rules “to a habeas petition not covered” by § 2254).

² Plaintiff also seeks to be monetarily compensated for “pain and suffering” stemming from his allegedly “false incarceration.” (Doc. 2, at 5.)

prisoners attacking the validity of the fact or length of their confinement, and that specific determination must override the general terms of § 1983.”).

Under 28 U.S.C. § 2241, a federal court has jurisdiction over petitions of a petitioner is in “custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241(c)(3). Petitioner is presently confined in the Fentress County Jail in Jamestown, Tennessee. Fentress County is located in the Northeastern Division of the Middle District of Tennessee. *See* 28 U.S.C. § 123(b)(2). Therefore, venue for this action is proper in the Middle District of Tennessee. Accordingly, and in accordance with this Court’s authorization to transfer cases to another District “in the interest of justice,” *see* 28 U.S.C. § 1406(a), the Court will **DIRECT** the Clerk to **TRANSFER** this entire action to the United States District Court for the Northeastern Division of the Middle District of Tennessee and **CLOSE** this Court’s file.

AN APPROPRIATE ORDER WILL ENTER.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE